

1 AN ACT in relation to criminal law.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Criminal Code of 1961 is amended by  
5 changing Section 24-3.5 as follows:

6 (720 ILCS 5/24-3.5)

7 Sec. 24-3.5. Unlawful purchase of a firearm.

8 (a) For purposes of this Section, "firearms transaction  
9 record form" means a form:

10 (1) executed by a transferee of a firearm stating:  
11 (i) the transferee's name and address (including county  
12 or similar political subdivision); (ii) whether the  
13 transferee is a citizen of the United States; (iii) the  
14 transferee's State of residence; and (iv) the date and  
15 place of birth, height, weight, and race of the  
16 transferee; and

17 (2) on which the transferee certifies that he or  
18 she is not prohibited by federal law from transporting or  
19 shipping a firearm in interstate or foreign commerce or  
20 receiving a firearm that has been shipped or transported  
21 in interstate or foreign commerce or possessing a firearm  
22 in or affecting commerce.

23 (b) A person commits the offense of unlawful purchase of  
24 a firearm who knowingly purchases or attempts to purchase a  
25 firearm with the intent to deliver that firearm to another  
26 person who is prohibited by federal or State law from  
27 possessing a firearm.

28 (c) A person commits the offense of unlawful purchase of  
29 a firearm when he or she, in purchasing or attempting to  
30 purchase a firearm, intentionally provides false or  
31 misleading information on a United States Department of the

1 Treasury, Bureau of Alcohol, Tobacco and Firearms firearms  
2 transaction record form.

3 (d) Exemption. It is not a violation of subsection (b)  
4 of this Section for a person to make a gift or loan of a  
5 firearm to a person who is not prohibited by federal or State  
6 law from possessing a firearm if the transfer of the firearm  
7 is made in accordance with Section 3 of the Firearm Owners  
8 Identification Card Act.

9 (e) Sentence.

10 (1) A person who commits the offense of unlawful  
11 purchase of a firearm by purchasing or attempting to  
12 purchase a firearm with intent to deliver the firearm in  
13 violation of subsection (b) or by purchasing or  
14 attempting to purchase a firearm in violation of  
15 subsection (c):

16 (A) is guilty of a Class 4 felony for  
17 purchasing or attempting to purchase one firearm;

18 (B) is guilty of a Class 3 felony for  
19 purchasing or attempting to purchase not less than 2  
20 firearms and not more than 5 firearms at the same  
21 time or within a one year period;

22 (C) is guilty of a Class 2 felony for  
23 purchasing or attempting to purchase not less than 6  
24 firearms and not more than 10 firearms at the same  
25 time or within a 2 year period;

26 (D) is guilty of a Class 1 felony for  
27 purchasing or attempting to purchase not less than  
28 11 firearms and not more than 20 firearms at the  
29 same time or within a 3 year period;

30 (E) is guilty of a Class X felony for which  
31 the person shall be sentenced to a term of  
32 imprisonment of not less than 6 years and not more  
33 than 30 years for purchasing or attempting to  
34 purchase not less than 21 firearms and not more than

1 30 firearms at the same time or within a 4 year  
2 period;

3 (F) is guilty of a Class X felony for which  
4 the person shall be sentenced to a term of  
5 imprisonment of not less than 6 years and not more  
6 than 40 years for purchasing or attempting to  
7 purchase not less than 31 firearms and not more than  
8 40 firearms at the same time or within a 5 year  
9 period;

10 (G) is guilty of a Class X felony for which  
11 the person shall be sentenced to a term of  
12 imprisonment of not less than 6 years and not more  
13 than 50 years for purchasing or attempting to  
14 purchase more than 40 firearms at the same time or  
15 within a 6 year period.

16 (2) In addition to any other penalty that may be  
17 imposed for a violation of this Section, the court may  
18 sentence a person convicted of a violation of subsection  
19 (c) of this Section to a fine not to exceed \$250,000 for  
20 each violation.

21 (Source: P.A. 91-265, eff. 1-1-00.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.